

### **REMARKS**

Claim 10 has been amended and no new claims have been added. No claims have been cancelled. Accordingly claims 10-18 remain under prosecution in this application.

#### **In The Drawings**

The examiner objected to Figure 1 of the drawings because a longitudinal acceleration sensor 10 does not appear in Figure 1 although it is referred to in the specification in conjunction with Figure 1. The undersigned has added (shown in red) the appropriate box, lead line, and control line relating to longitudinal acceleration sensor 10.

The examiner has objected to the drawings because some of the text of Figure 4 is in a non-English language. The undersigned has submitted herewith proposed changes to Figure 4 (shown in red) wherein the non-English text has been translated into English. The undersigned respectfully solicits entrance of these drawing changes into the official record of this application. The drawings submitted herewith are informal and upon acceptance of these drawings into the official record of this application, the undersigned will obtain formal drawings.

#### **In the Specification**

The examiner has objected to paragraph 44 of the specification because the use of the word "shear" is unclear. It is clear to the undersigned from the context in which "shear" is used both in paragraph 44 and throughout the application, that it relates to the yaw moment caused by the pressure **difference** at the front axle. Accordingly the undersigned has amended the second line of paragraph 44 to plainly state that "...the required moment yaw caused by the pressure difference at the front axle."

#### **35 USC § 102**

Claim 10 is rejected under 35 USC § 102(b) as being anticipated by Hac et al. Claim 10 has been amended to require a brake force controller "**for dispensing with a brake pressure buildup at a rear axle of the vehicle and ...**" None of the references of record teach a vehicle stabilizing device wherein the brake force controller dispenses with a brake pressure buildup

within the rear axle of the vehicle and establishes a differential brake force in the front axle of the vehicle wherein the differential brake force in the front axle wheel brakes is effective for correcting the understeering drive condition. This feature of the invention is set forth, in many places of the specification (see for example paragraph 44, lines 1-4). The undersigned believes that this feature of claim 10 is, by itself, enough to patentably distinguish the invention of claim 10 from the cited art of record.

Claims 10-18 are rejected under 35 USC § 102(e) as being anticipated by Tanaka et al. Neither Tanaka or Hac teach or suggest the invention set forth in claim 10 (for the reasons cited above) and accordingly the undersigned believes that claim 10 and its dependent claims are allowable. The undersigned also respectfully notes that the earliest date by which Tanaka et al. can be used as a reference against the undersigned is October 24, 2001. However, the instant application is entitled to a priority date of August 4, 2000 which predates the effective date of Tanaka by more than one year.

In view of the amendments and arguments set forth above, the undersigned believes that all pending claims are in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. 64098-0919 from which the undersigned is authorized to draw.

Dated: December 22, 2003

Respectfully submitted,

By 

Joseph V. Coppola, Sr.

Registration No.: 33,373

RADER, FISHMAN & GRAUER PLLC

39533 Woodward Avenue

Suite 140

Bloomfield Hills, Michigan 48304

(248) 594-0650

Attorney for Applicant